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MICHIGAN HOUSE OF REPRESENTATIVES

LEE GONZALES
STATE REPRESENTATIVE
49TH DISTRICT

APPROPRIATIONS

SUBCOMMITTEES:
TRANSPORTATION (C)
HISTORY, ARTS & LIBRARIES (VC)
ECONOMIC DEVELOPMENT
HIGHER EDUCATION

July 15, 2009

The Honorable Mark Meadows, Chairman
House Judiciary Committee

Re: House Bill 4326

Chairman Meadows and Judiciary Committee Members:

Thank you for taking testimony on House Bill 4326. Unfortunately, I am not able to attend today's committee meeting; however I wanted to provide you with my written testimony. This bill amends the Michigan penal code to expand and strengthen the definition of racketeering to include identity theft and computer crimes and to include felony violations of the Identity Theft Protection Act.

Racketeering is defined as "committing, attempting to commit, conspiring to commit, or aiding or abetting, soliciting, coercing, or intimidating a person to commit an offense for financial gain."

According to the Federal Trade Commission (FTC), nine million people have their identities stolen each year with fraud losses totaling more than \$1.2 billion in 2007. Last year (2008) marked the ninth consecutive year that identity theft was the number one consumer complaint category. In fact, 26 percent of the total complaints received by the FTC were identity theft with credit card fraud being the most common form of reported identity theft at 20 percent.

Identity theft is a complex crime, most often involving several individuals working together to steal, distribute and use personal information and documents for personal gain. As such, Michigan law needs to provide the appropriate tools for law enforcement and prosecutors to charge individual offenders and the organization(s) behind these crimes. This bill, which passed the House last session on a 109-0 vote, attests to our efforts here in Michigan to be serious about cracking down on identity theft by putting into place a law that allows charges to be brought against all involved parties.

Identity theft can happen to anyone - no one is exempt from being a victim of such a crime. Many of you may know a friend or family member who has had to deal with the repercussions and financial loss of such a crime - it may have even happened to you. That is why it is imperative that we, as legislators, continue to strengthen our state's identity theft laws and to protect the citizens of Michigan.

Thank you for allowing me the opportunity to submit testimony on behalf of this bill. Should you have any questions please contact my office.

Sincerely,

Lee Gonzales